

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

O I P E 4977
AUG 07 2006
U.S. PATENT & TRADEMARK OFFICE

Application Number	10/769,574
Filing Date	January 29, 2004
First Named Inventor	Bret Berner
Art Unit	1616
Examiner Name	Edward J. Webman
Attorney Docket Number	73100-001-10

Mail Stop **Amendment**

ENCLOSURES (Check all that apply)

No fee due
 Fee(s) due: \$ Check enclosed
 Charge Deposit Account No. 18-0580
 37 CFR § 1.16
 37 CFR § 1.17
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 Amendment/Response After Final
 Affidavits/declaration(s) - Affidavits/declaration(s)
 -Month Extension of Time

Terminal Disclaimer
 Supplemental Information Disclosure Statement & PTO-1449 Form(s) Cited reference copy(ies)
 Response to Missing Parts / Incomplete Application Declaration(s) by Inventor(s)
 Preliminary Amendment
 Updated Application Data Sheet
 Drawing(s) - Sheets
 Compact Disk(s) - CD(s)
 Petition
 Power of Attorney & Address Indication Form

Revocation of & New Power of Attorney, Address Indication Form
 Request for Refund
 After Allowance Communication to a Technology Center (TC)
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
 Other Enclosure(s) (see remarks):

Claim Count

Total Claims	Extra Claims	New Claim No.
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

- 20 =
- 3 =

REMARKS

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name (print/type)	Karen Canaan, Esq., Reg. No. 42,382 Mintz Levin	Telephone	(650) 251-7700
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Signature

Date August 2, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Name (print/type) **Yesenia Garcia**

Signature

Date August 2, 2006



Atty Dkt No. 73100-001-10
Client Ref No. IR-5DIV1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Bret Berner and Jenny Louie-Helm

Confirmation No. 8962

Application Serial No. 10/769,574

Group Art Unit: 1616

Filing Date: January 29, 2004

Examiner: Edward J. Webman

Title: GASTRIC RETENTIVE ORAL DOSAGE FORM WITH RESTRICTED DRUG RELEASE IN THE LOWER GASTROINTESTINAL TRACT

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT FILED PURSUANT TO 37 C.F.R. § 1.97(a)(3)

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.97(a)(3), applicants respectfully request that the Examiner review and make of record the single U.S. patent reference identified in the attached PTO-1449 form. Applicants respectfully request that the Examiner initial and attach a copy of the initialed PTO-1449 with the next Office Communication so that applicants can confirm that the cited reference has been reviewed and made of record. As this application was filed after June 30, 2003, pursuant to MPEP § 609, a copy of the cited U.S. patent is not attached to this Information Disclosure Statement ("IDS").

This IDS is not intended as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any of the above references constitutes prior art to the present application within the meaning of 35 U.S.C. § 102.

As this IDS is filed pursuant to 37 C.F.R. § 1.97(a)(3) before the mailing of a first Office Action, no fee accompanies this IDS; however, if the Office deems that a fee is required in order to process this paper or if the Office finds that an overpayment has been made for this case, then the Commissioner is authorized to charge such fee or to credit any overpayment to Deposit Account No. 18-0580.

Respectfully submitted,

By:

Karen Canaan

Registration No. 42,382

MINTZ LEVIN

1400 Page Mill Road

Palo Alto, California 94304-1124

Substitute for form 1449A/PTO

AUG 07 2006

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

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of

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Application Number

10/769,574

Filing Date

01.29.2004

First Named Inventor

Bret Berner

Art Unit

1616

Examiner Name

Edward J. Webman

Exhibit

7310

Attorney Docket Number

75100 001 00

U.S. PATENT DOCUMENTS

TRA 2181292v.1

Examiner Signature	/Andriae Holt/	Date Considered	04/09/2008
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.